

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

SHEET METAL WORKERS LOCAL 265)	
WELFARE FUND, <i>et al.</i> ,)	
)	
Plaintiffs,)	CIVIL ACTION
)	
vs.)	NO. 09 C 6426
)	
MIDWEST SHEET METAL, INC.,)	JUDGE MATTHEW F. KENNELLY
an Illinois corporation,)	
)	
Defendant.)	

MOTION FOR ENTRY OF JUDGMENT

Plaintiffs, by and through their attorneys, default having been entered against the Defendant on December 22, 2009, request this Court enter judgment against Defendant, MIDWEST SHEET METAL, INC., an Illinois corporation. In support of that Motion, Plaintiffs state:

1. On December 22, 2009, this Court entered default against Defendant and granted Plaintiffs' motion for an order directing Defendant to turn over its monthly fringe benefit contribution reports for April 2009 through the present date within 14 days of the entry of said Order. The Court retained jurisdiction to enforce the Order and enter judgment against Defendant.

2. In lieu of submitting reports, on February 10, 2010, Defendant submitted correspondence to Plaintiffs' counsel, indicating the number of hours worked by its employees during the months of April 2009 through June 2009. Defendant also indicated that "zero" hours were worked during the months of July 2009 through January 2010. Based on this information and the contribution rates set forth in the Defendant's collective bargaining agreement with the Funds, \$13,519.32 in benefit contributions are due to the Funds. (See Affidavit of Scott P. Wille).

3. An additional \$1,351.93 is due to the Funds for liquidated damages assessed on the delinquent benefit contributions. (Wille Aff. Par. 7).

4. Plaintiffs also incurred \$520.00 in costs and \$1,792.50 in attorneys' fees in this matter. (See Affidavit of Catherine M. Chapman).

5. Based upon the documents attached hereto, Plaintiffs request entry of judgment in the total amount of \$17,183.75.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment in the amount of \$17,183.75.

/s/ Beverly P. Alfon

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CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Motion) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 16th day of March 2010:

Mr. Robert J. Spears, Registered Agent/President
Midwest Sheet Metal, Inc.
5723 Weatherstone Way
Johnsburg, IL 60050

Mr. Robert J. Spears
30 Atwater Parkway
Fox Lake, IL 60020

/s/ Beverly P. Alfon _____

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